

RIKER DANZIG SCHERER HYLAND & PERRETTI LLP

Joseph L. Schwartz, Esq. (JS-5525)

Tara J. Schellhorn, Esq. (TS-8155)

Rachel G. Atkin, Esq. (RA-4910)

Headquarters Plaza

One Speedwell Avenue

Morristown, New Jersey 07962-1981

(973) 538-0800

Counsel to Plaintiffs and Counterclaim Defendants Newark Warehouse Urban Renewal, LLC and Newark Warehouse Redevelopment Company, LLC

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

Hollister Construction Services, LLC,

Debtor.

NEWARK WAREHOUSE URBAN
RENEWAL, LLC and NEWARK
WAREHOUSE REDEVELOPMENT
COMPANY, LLC,

Plaintiffs,

v.

HOLLISTER CONSTRUCTION SERVICES,
LLC, CHRISTOPHER JOHNSON, KIERAN
FLANAGAN, BRENDAN MURRAY, JOHN
DOES 1-100, JANE DOES 1-100, AND XYZ
CORPORATIONS 1-100,

Defendants.

Hon. Michael B. Kaplan, U.S.B.J.

Case No. 19-27439 (MBK)

Chapter 11

Adv. Pro. No. 19-02222 (MBK)

Hearing Date: December 12, 2019 at 10:00 a.m.

Objection Deadline: December 5, 2019

HOLLISTER CONSTRUCTION SERVICES,
LLC,

Counterclaimant,

v.

NEWARK WAREHOUSE URBAN
RENEWAL, LLC and NEWARK
WAREHOUSE REDEVELOPMENT
COMPANY, LLC,

Counterclaim Defendants.

HOLLISTER CONSTRUCTION SERVICES,
LLC,

Third-Party Plaintiff,

v.

EDISON CONSTRUCTION
MANAGEMENT, LLC and PASQUALE
SURIANO,

Third-Party Defendants.

**NOTICE OF MOTION OF NEWARK WAREHOUSE URBAN RENEWAL, LLC AND
NEWARK WAREHOUSE REDEVELOPMENT COMPANY, LLC FOR AN ORDER
REMANDING STATE COURT ACTION TO THE SUPERIOR COURT OF NEW
JERSEY, OR, IN THE ALTERNATIVE, ABSTAINING FROM EXERCISING
JURISDICTION OVER THE STATE COURT ACTION**

Newark Warehouse Urban Renewal, LLC and Newark Warehouse Redevelopment Company, LLC (together, the “Plaintiffs” or the “NWR Entities”), by and through their undersigned counsel, hereby submit this Motion for entry of an order remanding this adversary proceeding to the Superior Court of New Jersey, Essex County, Law Division (the “State Court”), the court from which it was removed by defendant Hollister Construction Services, LLC, the debtor in the above-referenced bankruptcy case (the “Debtor”), or, in the alternative, abstaining from hearing this lawsuit pursuant to either 28 U.S.C. §§ 1334(c)(1) or (c)(2) (the “Motion”). In support of the Motion, the NWR Entities will rely on the Certification of Joseph L. Schwartz, Esq. and the Memorandum of Law enclosed with this Notice.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Bankruptcy Court (the “Court”) to issue an order granting the Motion, or if you want the Court to consider your views on the Motion, then, on or before December 5, 2019, you or your attorney must:

- File an objection, pursuant to D.N.J. LBR 9013-2, with the Clerk of the Court at:

United States Bankruptcy Court
District of New Jersey
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

If you mail your objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

- Deliver a copy of your objection (a) to counsel to the NWR Entities at the following addresses: Riker, Danzig, Scherer, Hyland & Perretti LLP, Attn: Joseph L. Schwartz, Esq., Tara J. Schellhorn, Esq. and Rachel G. Atkin, Esq., One Speedwell Avenue, Morristown, New Jersey 07962-1981 phone: (973) 538-0800, fax: (973) 538-1984, e-mail: jschwartz@riker.com, tschellhorn@riker.com, and ratkin@riker.com; and (b) to all parties requesting notice in this case, so as to be received on or before December 5, 2019.
- Attend the hearing scheduled to be held on December 12, 2019 at 10:00 a.m. before the Honorable Michael B. Kaplan, U.S.B.J., United States Bankruptcy Court, Clarkson S. Fisher US Courthouse, 402 East State Street, Trenton, New Jersey 08608.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Dated: November 8, 2019
Morristown, New Jersey

RIKER DANZIG SCHERER HYLAND
& PERRETTI LLP

By: /s/ Joseph L. Schwartz
Joseph L. Schwartz

Joseph L. Schwartz, Esq. (JS-5525)
Rachel G. Atkin, Esq. (RA-4910)
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*Counsel to Plaintiffs and Counterclaim Defendants
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